## REPORTS ANALYSIS REFERRAL

TO

# OFFICE OF GENERAL COUNSEL

DATE:

June 25, 2009

ANALYST:

Corbin T. Jones

I. COMMITTEE:

MoveOn.Org Political Action

C00341396

Wes Boyd, Treasurer P.O. Box 9218

Berkeley, CA 94709

IL RELEVANT STATUTE:

2 U.S.C. §434(g)(1)

2 U.S.C. §434(g)(2) 11 CFR §104.4(b)(2) 11 CFR §104.4(c)

# III. BACKGROUND:

# Failure to Provide Supporting Schedules: Failure to File 48-Hour and 24-Hour Notices

MoveOn.Org Political Action ("the Committee") failed to file four (4) 48-Hour Notices to support twelve (12) independent expenditures totaling \$557,082.36 disclosed on Schedule E of the 2008 October Quarterly Report made up to and including the 20th day before the 2008 General Election (Attachment 2). The Committee also failed to file two (2) 24-Hour Notices for eight (8) independent expenditures totaling \$158,393.02 dissipsed on Schedule E of the 2008 30 Day Post-General Report made less than 20 plays, but onere than 24 hours before the 2008 General Election (Attachment 3).

On September 21, 2008 and September 29, 2008, Prior Notices listing the official filing dates for quarterly filers were sent to the Committee. Each notice included a section titled 48-and 24-Hour Reports of Independent Expenditures, which read as follows:

"Any PAC or Party Committee that makes independent expenditures at any time during the extension year — up to and including the 20th day before an election (including a special election) — are required to simulose this activity within 48 hours each time that the expanditures aggregate \$10,000 or more in connection

with that election. This reporting requirement is in addition to the requirement to file 24-hour reports of independent expenditures each time distancements for independent expenditures in agreegate or exceed \$1,600 during the last 20 days — up to 24 hours — lusfoes an election. PACs and Party Cammittees must report independent expenditures that do not trigger the 42-or 24-hour reporting thresholds on their regularly scheduled diministra reports. See 11 CFR 104.4. These reports are not required when a Party committee or PAC makes a contribution directly to a candidate. For a chart of the 2008 48- and 24-hour reporting periods for independent expenditures, consult the FEC website at www.fed.gov/info/charts ie dates prez.shtml." (Attachment 4)

# 2008 October Quarterly Report

On Compher 13, 2008, the Committee filed a 2008 October Quarterly Report covering the reporting period from July 1 through September 30, 2008, which included a Schedule E (Itemized Independent Expenditures) disclosing eighty-seven (87) independent expenditures totaling \$4,091,644.32 and supporting or opposing two (2) federal candidates for the 2008 General Election. The Committee failed to file four (4) 48-Hour Notices for twelve (12) independent expenditures totaling \$557,082.36 (Attachment 2).

On November 19, 2008, a Request for Additional Information ("RFAF") was sent to the Committee referencing the 2008 October Quarterly Report. Among other issues, the RFAI stated that the Committee may have failed to file one or more of the required 48-Hour Notices for independent expanditumes. Additionally, the RFAI stated that although the Committee may take further action, the Committee's premate response concerning the matter would be taken into consideration. A short was included with the RFAI identifying severates (17) independent expenditures totaling \$610,405.35 for which a 48-Hour Notice had not been filed (Image 28039922594).

On December 19, 2008, Neil Reiff, Assistant Treasurer, called Reports Analysis Division (RAD) Management regarding the RFAI referencing the 2008 October Quarterly Report and the missing 48-Hour Notices. Mr. Reiff stated that he thought he had filed the notices; however, when he checked his data file he realized the notices had not been filed. Mr. Reiff admitted that he had not obsched for a filing confirmation receipt and manted to same a data file to RAD to demonstrate a good faith effort lied been made to file the nations (Attachment 5).

On December 19, 2008, Mr. Reiff sent a data file to RAD Management via email. The file included two (2) 48-Hour Notices which disclosed "closed" dates of August 22, 2008<sup>2</sup> and

<sup>&</sup>lt;sup>1</sup> The Committee adequately responded to five (5) of the quantioned independent expenditures totaling \$53,522.54; therefore, these items are not included in the referral.

<sup>&</sup>lt;sup>2</sup> One (1) independent expenditure to ParcePort shows an amount of \$18,900.00, which differs from the \$19,800.00 reported on the 2008 October Quarterly Report.

September 10, 2008. The files also contained the independent expenditures originally disclosed on the 2008 October Quarterly Report for which as notice was medical (Attachment 6).

On December 19, 2008, the Committee filed a Miscellaneous Electronic Submission (FEC FORM 99) in response to the RFAN referencing the 2008 October Quanterly Report. The Committee indicated that it had failed to file 48-Hour Notices for twelve (12) independent expenditures totaling \$557,082.36 disclosed on the 2008 October Quarterly Report. The FEC FORM 99 stated in part:

"...The following transactions were disclosed in June 2008 on Form 24 and memo'd on Schedule E on the July Quarterly Report - Google 6/6 \$450, Google 6/11 \$170.56, Google \$22,500 6/12 The following Manuactions were overages from wab aim that were previously disclosed as estimates but due to high clickthrough volumes; the exists fair the ads exceeded the original estimates Faceback 9/30 \$12,260.45, Google \$17,932.98. The committee had prepared Forsa 24 reports on August 21, 2008, September 10, 2008 and October 1, 2008 covering the remaining items on the Commission's letter. The committee had believed that these 24 hour reports were properly filed with the Commission utilizing the Commissions FECFILE software and did not realize that there was a problem with these filings until the receipt of the Commission's letter regarding these literal. The committee has determined that the resorts for August 21st and October 1st were not received by the Commission, for reasons unknown (sec), and that a Ferm 24 was neceived by the Commission on Santincher 16th, but, for reasons unknown, the filing contained (sic) dem from a Form 24 that was originally filed on May 1, 2008. The committee has provided a backet copy of the committee's .dcf file as of October 1, 2008 to the Commission to demonstrate that it had prepared and olessed these reports in its software." (Image 28994180481)

On April 1, 2009, the RAD Analyst left a voicemail message for Mr. Reiff regarding the missing 48-Hour Notices. The Analyst explained that the issue would be referred for further action unless the Committee provided further clarification that showed the notices were not required. The Analyst asked Mr. Reiff to return his call if he had any additional questions (Attachment 5).

# 2008 30 Day Post-General Beacrt

On December 2, 2008, the Committee filed a 2008 30 Day Post-General Report covering the reporting period from October 16 through November 24, 2008, which included a Schedule E (Itemized Independent Expenditures) disclosing forty-one (41) independent expenditures totaling \$502,794.34 and supporting or opposing nine (9) federal candidates in the 2008 General Election.

On Electronistic 19, 2008, the Committee filed an Associated 2088 30 Day Ross-General Report constring the reporting passed from October 16 through November 24, 2008, which

and supporting or opposing nine (9) federal candidates in the 2008 General Election. The Committee failed to file two (2) 24-Hour Notices for eight (5) independent expenditures totaling \$158,393.02 (Attachment 3).

On February 20, 2009, an RFAI was sent to the Committee referencing the Amended 2008 30 Day Rost-General Report, received December 19, 2008. Among other issues, the RFAI stated that the Committee may have failed to file one or more of the required 24-Hour Notices for independent expenditures. Additionally, the RFAI stated that, although the Commission may take further action, the Committee's prompt response concerning the matter would be taken into consideration. A chart was included with the RFAI identifying nine (9) independent expenditures, totaling \$187,915.32, for which a 24-Hour Notice had not been filed (Image 29030034690).

On February 25, 2009, Mr. Reiff sent a data file to RAD. The file included one (1) 24-Hour Notice which disclosed a "closed" date of December 17, 2008. This notice also contained the independent expenditures originally disclosed on the 2008 30 Day Post-General Report for which no notice was received (Attachment 5).

On February 26, 2009, the Committee filed a FEC FORM 99 in response to the RFAI referencing the Amended 2008 30 Day Post-General Report, received December 19, 2008. The Committee indicated that it had failed to file 24-Hour Notices for eight (8) independent expenditures totaling \$158,393.02 disclosed on the 2008 Amended 30 Day Post-General Report. The FEC FORM 39 state in parts

"The payment to Hotjob.com for washeds was innovertuntly amitted from Form 24 filings. All payments disclosed on Schedule E for 10/17/08, were placed on a Form 24 and prepared for filing with the FEC. The committee had believed that this 24 hour report had been filed utilizing the Commission's FECFILE software and did not realize there was a problem with this filing until the receipt of the Commission's letter regarding this matter. The committee has provided the Commission a copy of its .dcf file to demonstrate that a closed Form 24 was propused for uptoading on 10/17/03. The committee will take steps to ensure that it confirms that abbraissions for Form 24 were amccessfully received by the Commission in the future." (Ironge 29991128660)

On April 1, 2009, the RAD Analyst left a voicemail message for Mr. Reiff regarding the missing 24-Hour Notices. The Aralyst explained that the issue would be referred for further Commission action unless the Committee provided further clarification that showed the notices were not required. The Analyst asked Mr. Reiff to return his call if he had any additional questions (Attachment 5).

<sup>&</sup>lt;sup>3</sup> The Committee adequately responded to one (1) of the questioned independent expenditures totaling \$29,522.30; therefore, this item is not included in the referral.

<sup>&</sup>lt;sup>4</sup> The independent expenditure for Hotjobs.com made on December 20, 2008 totaling \$5,000 was not included on a 24-Hour Notice within the file.

September 10, 2008. The files also contained the independent expenditures originally disclosed on the 2008 October Quarterly Report for which no notice was received (Attachment 6).

On December 19, 2008, the Committee filed a Miscellaneous Electronic Submission (FEC FORM 99) in response to the RF&I referencing the 2008 October Quarterly Report. The Committee indicated that it had failed to file 48-Hour Notices for twelve (12) independent expenditures totaling \$557,082.26 disclosed on the 2008 October Quarterly Report. The FEC FORM 99 stated in part:

"...The following transactions were disclosed in June 2008 on Form 24 and memo'd on Schedule E on the July Quarterly Report - Google 6/6 \$450, Google 6/11 \$170.56, Google \$22,500 6/12 The following Manuactions were courages from web sale that were presidually dischased as estimates but due to high clickthrough volumes, that costs for the ads exceeded the original estimates Faceback 9/30 \$12,209.45, Google \$17,932.98. The committee had purepaned Form 24 reports on August 21, 2008, September 10, 2008 and October 1, 2008 covering the remaining items on the Commission's letter. The committee had believed that these 24 hour reports were properly filed with the Commission utilizing the Commission's FECFILE software and did not realize that there was a problem with these fillings until the receipt of the Commission's letter regarding these items. The committee has determined that the reports for August 21st and October 1st were not received by the Commission, for reasons without (sic), and that a Form 24 was nazeived by the Commission on September 10th, but, for reasons unknown, the filing earthined (sic) data from a Form 24 that was originally filed on May 1, 2008. The committee has provided a backup copy of the committee's .def file as of October 1, 2008 to the Commission to demonstrate that it had prepared and closed these reports in its software." (Image 28994180481)

On April 1, 2009, the RAD Analyst left a voicemail message for Mr. Relif regarding the missing 48-Hour Notices. The Analyst explained that the issue would be referred for further action unless the Committee provided further clarification that showed the notices were not required. The Analyst asked Mr. Reiff to return his call if he had any additional questions (Attachment 5).

# 2008 30 Day Post-General Report

On December 2, 2008, the Committee filed a 2008 30 Day Post-General Report covering the reporting period from October 16 through November 24, 2008, which included a Schedule E (Itemized Independent Expenditures) disclosing forty-one (41) independent expenditures totaling \$502,794.34 and supporting or opposing nine (9) federal candidates in the 2008 General Election.

On Presentier 19, 2008, the Committee filed an Amended 2006 30 Day Post-General Report unverting the reporting pariod from October 16 through November 24, 2008, which

included a Schedule E disclosing thirty-nine (39) independent expenditures totaling \$493,701.29 and supporting or upposing nine (9) External candidates in the 2008 General Election. The Committee failed to file two (2) 24-Hour Notices for eight (8) independent expenditures totaling \$158,393.02 (Attachment 3).

On February 20, 2009, an RFAI was sent to the Committee referencing the Amended 2008 30 Day Post-General Report, received December 19, 2008. Among other issues, the RFAI stated that the Committee may have failed to file one or more of the required 24-Hour Notices for independent expenditures. Additionally, the RFAI stated that, although the Commission may take further action, the Committee's prompt response concerning the matter would be taken into consideration. A chart was included with the RFAI identifying nine (9) independent expenditures, totaling \$187,915.32, for which a 24-Hour Notice had not been filed (Image 29030034680).

On Feltmary 25, 2009, Mr. Reiff sent a data file to RAD. The file included one (1) 24-Hour Notice which disclosed a "closed" date of December 17, 2008. This notice also contained the independent expenditures originally disclosed on the 2008 30 Day Post-General Report for which no notice was received (Attachment 5).

On February 26, 2009, the Committee filed a FEC FORM 99 in response to the RFAI referencing the Amended 2008 39 Day Post-General Report, received December 19, 2008. The Committee indicated that it had failed to file 24-Hour Notices for eight (8) independent expenditures totaling \$158,393.02 disclassed on the 2008 Amended 30 Day Post-General Report. The FEC FORM 99 stated in part:

"The payment to Hotjob.com for websale was implicationally control from Form 24 filings. All payments disclosed on Schedule E for 10/17/08, were placed on a Form 24 and prepared for filing with the FEC. The committee had believed that this 24 hour report had been filed utilizing the Commission's FECFILE software and did not realize there was a problem with this filing until the receipt of the Commission's letter regarding this matter. The committee has provided the Commission a copy of its .dcf file to demenstrate that a closed Foun 24 was prepared for uploading on 10/17/08. The assembled will take stage to ensure that it confirms that submissions for Form 24 were successfully received by the Commission in the fixture." (Image 29991120656)

On April 1, 2009, the RAD Analyst left a voinemail message for Mr. Reiff regarding the missing 24-Hour Notices. The Analyst explained that the issue would be referred for further Commission action unless the Committee provided further clarification that showed the notices

<sup>&</sup>lt;sup>3</sup> The Committee adequately responded to one (1) of the questioned independent expenditures totaling \$29,522.30; therefore, this item is not included in the referral.

<sup>&</sup>lt;sup>4</sup> The independent expenditure for Hotjobs.com made on December 20, 2008 totaling \$5,000 was not included on a 24-Hour Notice within the file.

were not required. The Analyst asked Mr. Reiff to return his call if he had any additional questions (Attachment 5).

On May 6, 2009, the Committee filed an Amended 2008 30 Day Post-General Report. This filing disclosed the same reporting issues as the prior report (Images 2993364001 – 29933685119).

To date, no further communication has been received from the Committee regarding this matter.

# DATE 8/25/200R OGC INDEX - (0) (2007-2008)

PAGE 1

10VEON.ORS POLITICAL ACTION 1896, Was FILING FREQUENCY: QUARTERLY

PO BOX 9218

BERKELEY

NON-PARTY QUALIFIED CA 94709

ID #C00341396

7	RM TYPE	RPT TYPE AI PG	REC DATE	PGS	BEG INAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
	NS	T	1/22/2007	4	27930058903						
	NS.	τ	3/30/2007								
	NS	ž	4/20/2007	_	27990019361						
	MS	2	7/16/2087	_	279309E49EB						•
	HS	2	7/16/2002		27930191826						
	NS.	2	9/17/2027		27937153916						
	NS	2	9/24/2 <b>687</b>	1	27931202847						
	KS	2	9/24/2907	-							
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FEDERAL ELECTION COMMISSION

# DATE 6/25/2009 - OGC INDEX - (0) (2007-2008)

PAGE 2

40VEON.ORG POLITICAL ACTION

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PO BOX 9218

BERKELEY

NON-PARTY QUALIFIED CA 94700 ID #C00341396

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•••	MS		2	8/26/2008		28932883475							
	115		2	8/29/2008		28991955294							
	113 118		2 2	9/04/2008 9/05/2008		28992097880 28932878417							
	MS		2	9/10/2008		28932010063							
	rie Me		Ŧ	9/10/2002		28939853311							
	110		2	9/13/2008	2	28992133103							
	Mili		2	9/19/2006		289 <b>021//38</b> 83							
	MS		2	9/24/2006		28938347150							
	118		2	9/25/2008		28992267523							
	115 115		2	10/06/2006 10/08/2008	1	28933378501 28953387808							
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<b>N</b>	RS		2	10/15/2008	•	28933507199							
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	RE	MY	2	9/06/2007	3	2703956688	1/04/2007	6/30/2007					
	<b>76</b>	MY	2	5/16/2008	2	250397 <b>36866</b>	1 /81 / 2007	6/30/2007					
			_		_		2104 1000	404041000	1				
	RQ RQ	YE YE	2 2	2/22/2008 5/16/2008		28039642586 28039730698		12/31/2007 12/31/2007					
	PGE .	YE	Z	3/16/2 <b>2/08</b>	3	20038/04080	//U1/209/	12/31/200/					
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DATE 6/25/2009 OGC INDEX - (0) (2007-2008)

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BERKELEY

NON-PARTY QUALIFIED CA 94709

FILING FREQUENCY: QUARTERLY FORM TYPE RPT TYPE AL PGI REC DATE PGS BED IMAGE COVERAGE DATES BEG CASH RECEIPTS DISBURSE END CASH DEBTS BY RO 306 4/22/2009 3 29030080127 10/16/2008 11/24/2008 YE 2 3/15/2005 7 29030053086 11/25/2005 12/31/2006 7/24/2007 3000 27990350458 1645580 3 WY ĸ 1/01/2007 6/30/2007 4695350 5032063 1305867 0 3 7/24/2007 3000 27990353458 1/01/2007 6/30/2007 . MY (MINO 2 MAIN) (800008 1/80/2007 6/80/2007 3 HY P 7/24/2007 1/04/2007 8/30/2007 3 N P 3000 27880368001 HY 7/24/2993 1008 27990397001 3 MY N 7/24/3907 1/81/2007 6/36/2007 3 YE 1/25/2008 3000 2B99X495242 7/01/2007 12/31/2007 1308887 6127981 4716867 2719962 0 3 N 1/25/2008 3000 28990100001 7/01/2007 12/31/2007 YE 3000 28990103001 3000 28990109991 7/01/2007 12/31/2007 7/01/2007 12/31/2007 3 YE N P 1/25/2008 1/25/2008 YE 3 \* 1/25/2882 7/01/2007 18/31/2007 YE (MM2 2000)138661 01 4/14/2008 3000 28884104514 1/01/2006 8/34/2008 2710002 3257371 2675029 3302304 0 3000 BERS1104614 4/14/2008 Q1 N P 1/01/2006 3/31/20GB 01 N P 4/14/2008 3000 28931110001 1/01/2008 3/31/2008 2578 20221113001 1/01/2008 3/31/2008 3 01 4/14/2008

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PAGE 4

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=OR	N TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	Beg inage	COVERA	BE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
	3	Q3	·A	P	10/13/2008	3000	28992420001	7/01/2008	9/30/2008	-	-	_	-	-
	3	03	N		10/13/2906		25002423001	7/01/2008		-		-	-	
	3	Q3	N	P	10/13/2005	2529	20992420001	7/01/2008		•	•	•	-	•
	3	120	ĸ	P	10/21/2908	3000	10063504603	19/51/2008	10/18/2008	4334198	1591237	1481588	5113842	0
	3	12G	N	P	10/21/2008	3000	28933994893	10/01/2008	10/15/2008	•		•	•	•
	3	120	N	P	10/20/2008	3000		1(2002 / 2008	10/15/10005	-	-	-		-
	3	126	M	P	10/24 12000		<b>8663</b> 4(193001			•	•	•	-	•
	3	126	A	P	12/02/2008	3960	20084450508	10/01/2008	10/1/4/2008	4240678	1585752	1461588	5113842	0
	3	125	٨	P	12/02/2006	<b>2180</b>	35954456638	10/01/2003	10/15/2006	•	-	-	•	-
	3	126	A	P	12/02/2006		28934450CCT		10/15/2008	•	-	-	-	•
<b>©</b>	3	128	A	P	12/02/2009	<b>2738</b>	26834463001	10/01/2006	10/15/2008	•	•	_	•	-
80	3	126	A	P	12/19/2006	3000	28996200772	10/01/2006	10/15/2005	4965 J.P.	1585752	1461588	5113842	0
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FERENAL ELECTION CONMISSION

DATE 8/25/2008 OGC 1HDEX - (0) (2007-2008)

PAGE 5

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PO BOX 9218 BERKELEY NON-PARTY QUALIFIED CA 94709

ID #C00341396

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Attachment 1

FERERAL ELECTION CONMISSION

DATE 6/25/2009 OGC INDEX - (0) (2009-2010)

PAGE 1

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**QQ** 

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PO BOX 9218

BERKELEY

NON-PARTY QUALIFIED

ID #C00341396

CA 94709

FORM TYPE RFT TYPE AL PGI REC DATE PGS BEG INAGE COVERAGE DATES BEG CASH RECEIPTS DISBURSE END CASH DEBTS BY

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## FEDERAL ELECTION COMMISSION

# **PARTIES AND PACS**

**September 21, 2008** 

# **CURRENT REPORT DUE**

# REPORTING DATES

October Quarterly	07/01/08 - 09/30/08	10/15/08	10/15/08
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	RIPORTING	OVLRNICHT	HHTNG
		REG. CEREL &	

## PRE-ELECTION REPORTING

Committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. For the pre-election reporting guidelines, see the January 2008 Record, which can be found on the FEC web site at www.fec.gov/pdf/record/2008/jan08.pdf.

Supplemental Filing Information available on pages 3 and 4 of this notice.

<sup>&</sup>lt;sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

# REPORTING SCHEDULE FOR REMAINDER OF 2008

## REPORTING DATES

Post-General	10/16/08 - 11/24/08	12/04/08	12/04/08
Pre-General <sup>2</sup>	10/01/08 - 10/15/08	10/20/08	10/23/08
REPORT	PIRIOD	REG. CERT. & OVERNIGHT MAHENG DEADLEM	

# PRE-ELECTION REPORTING

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Supplemental Filing Information available on pages 3 and 4 of this notice.

<sup>&</sup>lt;sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>&</sup>lt;sup>2</sup>Required only if committee makes contributions or expenditures in connection with the general election during the reporting period.

<sup>&</sup>lt;sup>2</sup>Natice that this filing deadline falls on a ventood. Filing deadlinessure not extended when they fall on neasweaking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for committees supporting only Senate candidates, the Secretary of the Senate's) those of businessess the last business day business the destiline.

# SUPPLEMENTAL FILING INFORMATION

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for falling to comply with any filing deadline.

#### WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) filing on a quarterly basis must file an October Quarterly Report by October 15, 2008. Before a committee can stop filing with the FEC, it must file a termination report with the Commission. Committees must caratinue to file reports until the Commission notifies them in writing that their termination report has been accepted.

#### METHODS OF FILING REPORTS

#### **Electronic Filing**

Quarterly Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. For additional information, call the Electronic Filing Office at (800) 424-9530 or (202) 694-1642 or visit our website at www.fec.gov/elecfil/electron.shtml.

Under the Commission's mandatory electronic filing regulations, political committees that receive committees or make expenditures, including independent expenditures, in excess of \$50,000 in a calendar year, or that have reason to expect to do se, must the all reports with the FEC electronically. Other committees may voluntarily file electronically; however, any entity that files electronically, whether required to do so or not, must comply with the electronic filing rules.

## Registered & Certified Mail

Quarterly Reports sent by Registered or Cartified Mail must be postmarked on or before the mailing deadline to be considered timely filed. A committee sending its reports by Castified Mail should keep its certified mailing receipt with the U.S. Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete research of items sent by Certified Mail. A committee sending its report by Registered Mail should keep its proof of mailing. Please note that a Certificate of Mailing from the USPS is not sufficient to prove that a report is timely filed using Registered, Certified or Overnight Mail.

#### Organitiskt Mail

Quarterly Reports filed six casenight satil will be considered fromly filed if the report is received by the delivery service on or before the mailing describe. "Overnight satil" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with which the report is subschiled for next business day delivery and is recorded in the service's on-line tracking system.

# Other Means of Filing

Quarterly Reports filed by any other means—including first class mail and courier—must be received by the Commission (or for committees supporting only Senate candidates, the Secretary of the Senate) before the close of business on the last business day before the filing deadline.

Forms are available for downloading and printing at the FEC website at www.fec.gov/info/forms.shtml.

#### COMPLIANCE

Treasurer Responsibility. Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monatary penalties if reports are inaccurate or are not filed on time. For additional information, see the Commission's Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings on the web site at www.fec.gov/lsw/policy/2004/notice2004-20.pdf

Administrative Fine Program. Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for report late- and non-filers). For additional information, visit the FEC website at www.fec.gbv/af/af.shanl.

Report Format. In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.

Electronic Filers Must File Electronically. Electronic filers who instead file on paper, or who submit an electronic report (either by direct transmission, 3.5" diskette or CD) that does not pass the validation program by the 11:59 p.m. Eastern Time on the filing deadline, will be considered non-filers and may be subject to enforcement actions (including administrative fines).

# 48. AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures at any time during the calendar year—up to and including the 20th day before an election (including a special election)—are required to disclose this activity within 48 hours each time that the expenditures aggregate \$10,000 or more in connection with that election. This reporting requirement is in addition to the requirement to file 24-hour reports of independent expenditures each time disbursements for independent expenditures in connection with that election aggregate or exceed \$1,000 during the last 20 days—up to 24 hours—before an election. PACs and Party Committees must report independent expenditures that do not trigger the 48- or 24-hour reporting thresholds on their regularly-exhabitized disclosure reports. See 11 CFR 194.4.

These reports are not required when a Party Committee or PAC makes a contribution directly to a candidata. For a chert of 2008 48- and 24-hour reporting positions for independent expenditures, consult the PEC website at www.fec.gov/info/charts\_ie\_dates\_prez.nhtml.

## CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing when filing a report under the committee's current schedule. All reports filed after providing such a notice of change in filing frequency must follow the new filing schedule. Electronic filers must file this request electronically. Committees may change their filing frequency no mass than once per calendar year.



# FEDERAL ELECTION COMMISSION

# **PARTIES AND PACS**

September 29, 2008

# **CURRENT REPORT DUE**

I. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 15

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REPORT	- Pikiob -		$\overline{D}1 \setminus D11 \setminus 1$
Pre-General <sup>2</sup>	10/01/08 - 10/15/08	10/20/08	10/23/08
Post-General	10/16/08 - 11/24/08	12/04/08	12/04/08

IL QUARTERLY FILERS THAT <u>DU NO7</u> MANE GENERAL ELECTRON CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 15 <sup>3</sup>

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Post-General	10/01/08 - 11/24/08	12/04/08	12/04/08

Supplemental Filing Information available on ranges 3 and 4 of this natice.

<sup>&</sup>lt;sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>&</sup>lt;sup>2</sup>Required only if committee makes contributions or expenditures in connection with the general election during the repeating period.

<sup>&</sup>lt;sup>2</sup>Committees that made general election contributions or expenditures before October 1 and did not previously report them must also follow Chart I.

# REPORTING SCHEDULE FOR REMAINDER OF 2008

## REPORTING DATES

Year-End	11/25/08 - 12/31/08	01/31/09	01/31/094
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	RI PORTING	ONTRNIGHT	THTNG.
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Supplemental Filing Information available on pages 3 and 4 of this notice.

<sup>&</sup>lt;sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>&#</sup>x27;Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonwesking days. Accordingly, reports filed by methods other than Registered, Certified at Overnight Mail, or electronisally, must be received before the Commission's (or for committees supporting only Senate candidates, the Secretary of the Senate's) close of business on the last business day before the deadline.

# SUPPLEMENTAL FILING INFORMATION

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Am and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

## WHO MUST FILE

Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must follow the above charts in order to determine whether they must file a report 12 days before the geogral element on November 4 (the Pas-Gameral Element Report). All Party Committees and PACs, regardless of famoral activity, must file a report 30 days after the general election (the Post-Gameral Election Report). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. Committees must continue to file reports until the Commission potifies them in writing that their termination report has been accepted.

# METHOIS OF FELENG REPORTS

## **Electronic Filing**

Quarterly Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. For additional information, call the Electronic Filing Office at (802) 424-9530 ar (202) 694-1642 or visit our website at www.fec.gov/elecfil/electron.shtml.

Under the Commission's mandatory electronic filing regulations, political committees that receive contributions or make expenditures, including independent expenditures, in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must file all reports with the FEC electronically. Other committees may voluntarily file electronically; however, any entity that files electronically, whether required to do so or not, must compily with the electronic filing rules.

# Registered & Certified Mail

Quarterly Reports sent by Registered or Certified Mail name be pastmarked on or before the mailing deadline to be considered timely filed. A committee sanding its reports by Certified Mail should keep its certified mailing receipt with the U.S. Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete records of items sent by Certified Mail. A committee sending its report by Registered Mail should keep its proof of mailing. Please note that a Certificate of Mailing from the USPS is not sufficient to prove that a report is timely filed using Registered, Certified or Overnight Mail.

## Overnight Mati

Quarterly Reports filed via overnight mail will be considered themly filed if the report is received by the delivery service on or before the mailing deadline. "Overnight mail" hickness Priority or Express Mail having a delivery confirmation, or an overnight delivery service with which the report is scheduled for next business day delivery and is recorded in the service's on-line tracking system.

# Other Means of Filing

Quarterly Reputer filed by any other means—including first class mail and courier—must be received by the Commission (or for commission supporting only Senses condition, the flatmetary of the Senate) before the class of business on the inst husiness day before the filing destiling.

Forms are available for downloading and printing at the FEC website at www.fec.gov/info/forms.shtml.

#### **COMPLIANCE**

Tunnaurer Responsibility. Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. For additional information, are the Commission's Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings on the web site at www.fcc.gov/law/policy/2004/notice2004-20.pdf

Administrative Fine Program. Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers). For additional information, visit the FEC website at www.Rc.gov/afflif.shtml.

Report Format. In addition, partitional committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.

Electronic Filers Must File Electronically. Electronic filers who instead file on paper, or who submit an electronic report (either by direct transmission, 3.5" diskette or CD) that does not pass the validation program by the 11:59 p.m. Eastern Time on the filing deadline, will be considered non-filers and may be subject to enforcement actions (including administrative fines).

# CHANGE IN FILING FREQUENCY

Committees sink to change their reporting schedule (for example, from monthly to quarticly) who wish to do so must notify the Commission in writing when filing a report under the committee's current schedule. All reports filed after providing such a notice of change in filing frequency must follow the new filing schedule. Electronic filers must file this request electronically. Committees may change their filing frequency no more than once per calendar year.